



EV 695995125 US

PATENT
ATTORNEY DOCKET NO. 28438/US/2
ATTORNEY MATTER NO. 467084-000104

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re. application of
Murphy et al.

Serial No.: 10/600,997

Filing Date: June 20, 2003

Entitled: Compositions and Methods for Modulating Lymphocyte Activity

)
)
)
) Examiner: OUSPENSKI, I.

) Art Unit: 1644

DECLARATION UNDER 37 C.F.R. § 1.131

Assistant Commissioner for Patents
Washington, D.C. 20231

The undersigned, Kenneth Murphy, Theresa Murphy, Norihiko Watanabe, and Jianfei Yang, hereby declare as follows:

1. We are the inventors of the invention claimed in the subject application.
2. Prior to October 25, 2002 we had reduced to practice a human BTLA cDNA comprising the nucleotide sequence set forth at SEQ ID NO:7 of the subject application and encoding the human BTLA protein amino acid sequence set forth at SEQ ID NO:8 of the subject application.
3. Attached hereto is a photocopy exhibit (Exhibit A) showing the determined nucleotide sequence of an isolated human BTLA cDNA clone and the amino acid sequence translation thereof, which correspond to SEQ ID NO:7 and SEQ ID NO:8 of the subject application, respectively. All the work described in this declaration and in the attached exhibit was carried out in the United States by the inventors, either directly or under our supervision, and was completed prior to October 25, 2002. The attached exhibit is a photocopy of a laboratory notebook page of coinventor Theresa Murphy. The actual date appearing on the laboratory notebook page has been redacted in the attached exhibit.

EV 695995125 US

Serial No. 10/600,997
Filing Date: 20 June 2003

4. We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 22 Sept. 2006 N. Watanabe
NORIIHIKO WATANABE

Date: _____
THERESA MURPHY

Date: _____
KENNETH MURPHY

Date: _____
JIANFEI YANG



EV 695995125 US

Serial No. 10/600,997
Filing Date: 20 June 2003

BEST AVAILABLE COPY

BEST AVAILABLE COPY

4. We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: _____
NORHIKO WATANABE

Date: 9/21/04 Theresa Murphy
THERESA MURPHY

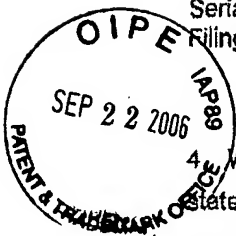
Date: 9/21/06 Kenneth Murphy
KENNETH MURPHY

Date: _____
JIANFEI YANG

EV 695995125 US

Serial No. 10/600,997

Filing Date: 20 June 2003



4. We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: _____

NORHIKO WATANABE

Date: _____

THERESA MURPHY

Date: _____

KENNETH MURPHY

Date: 9/22/06
JIANFEI YANG

BEST AVAILABLE COPY

EV 695995125 US

SEP 22 2006
PATENT OFFICE

11 21 31 41 51 61 71 81 91
+2 R L C P A R M L P A A W R P R E F D F F H H & Y V Q E M K T L P A
1 CCGTGGGTCGCA TGTCCCGGC CGCTGGCGG CCGCGGGAAT TCGATTTTTC CCATCACTGA TATGTGCAGG AAATGAAGAC ATTGCCTGCC
rc.seq GGN-----

11 21 31 41 51 61 71 81 91
+2 M L G T G K L F W V F F L I P Y L D I W N I H G K E S C D V Q L Y
101 ATGCTTGGAA CTGGGAAAT ATTITGGGTC TTCTTCTTAA TCCCATATCT GGACATCTGG AACATCCATG GGAAGAATC ATGTGATGTA CAGCTTTATA
rc.seq ATGCTTGGAA CTGGGAAAT ATTITGGGTC TTCTTCTTAA TCCCATATCT GGACATCTGG AACATCCATG GGAAGAATC ATGTGATGTA CAGCTTTATA

11 21 31 41 51 61 71 81 91
+2 I K R O S E H S I L A G D P F E L E C P V K Y C A N R P H V T W C K
201 TAAAGAGACA ATCTGAACAC TCCATCTTAG CAGGAGATCC CTTTGAAC TAATGCCCTG TGAATACTG TGCTAACAGG CCTCATGTGA CTTGGTGCAA
rc.seq TAAAGAGACA ATCTGAACAC TCCATCTTAG CAGGAGATCC CTTTGAAC TAATGCCCTG TGAATACTG TGCTAACAGG CCTCATGTGA CTTGGTGCAA

11 21 31 41 51 61 71 81 91
+2 L N G T T C V K L E D R Q T S W K E E K N I S F F I L H F E P H L
101 GCTCAATGGA ACAACATGTG TAAACTTGA AGATAGACAA ACAAGTTGGA AGGAAGAGAA GAACATTTC TTTTTCATTC TACATTTTGA ACCAATGCTT
rc.seq GCTCAATGGA ACAACATGTG TAAACTTGA AGATAGACAA ACAAGTTGGA AGGAAGAGAA GAACATTTC TTTTTCATTC TACATTTTGA ACCAATGCTT

11 21 31 41 51 61 71 81 91
+2 P N D N G S Y R C S A N F Q S N L I E S H S T T L Y V T D V K G A
401 CCTAATGACA ATGGGTCATA CCGCTGTTCT GCAAAATTTT AGTCTAATCT CATTEAAGC CACTCAACAA CTCCTTATGT GACAGATGTA AAAGGTGCTT
rc.seq CCTAATGACA ATGGGTCATA CCGCTGTTCT GCAAAATTTT AGTCTAATCT CATTEAAGC CACTCAACAA CTCCTTATGT GACAGATGTA AAAGGTGCTT

11 21 31 41 51 61 71 81 91
+2 S E R P S K D E V A S R P W L L Y S J L E L G G L P J L I T T W F C
501 CAGAACGACC CTCCAAGGAC GAAGTGCAA GCAGACCCTG GCTCCTGTAT AGTTACTTTC CTTTGGGGGG ATTGCCTCTA CTCATCACTA CCTGTTCTG
rc.seq CAGAACGACC CTCCAAGGAC GAAGTGCAA GCAGACCCTG GCTCCTGTAT AGTTACTTTC CTTTGGGGGG ATTGCCTCTA CTCATCACTA CCTGTTCTG

11 21 31 41 51 61 71 81 91
+2 L F C C L R R H Q G K Q N E L S D T A G R E I N L V D A H L K S E
601 CCTGTTCTGC TGCTTGAGAA GGCACCAAGG AAAGCAAAAT GAATCTCTG ACACAGCAGG AAGGGAATTT AATCTGTTG ATGCTCACCT TAAGAGCGAG
rc.seq CCTGTTCTGC TGCTTGAGAA GGCACCAAGG AAAGCAAAAT GAATCTCTG ACACAGCAGG AAGGGAATTT AATCTGTTG ATGCTCACCT TAAGAGCGAG

11 21 31 41 51 61 71 81 91
+2 O T E A S T R Q N S Q V L L S E A G I Y D N D P D L C F R M Q E G
701 CAACAGAG CAAGCACCAG GCAAAATTTT CAAGTACTGC TATCAGAGC TGAATTTAT GATAATGACC CTGACCTTTG TTTCAGGATG CAGGAAGGGT
rc.seq CAACAGAG CAAGCACCAG GCAAAATTTT CAAGTACTGC TATCAGAGC TGAATTTAT GATAATGACC CTGACCTTTG TTTCAGGATG CAGGAAGGGT

11 21 31 41 51 61 71 81 91
+2 S E V C S N P C L E E N K P G I V Y A S L N H S V I G L N S R L A R
801 CTGAAGTTTG TTCTAATCCA TGCTTGGAAG AAAACAAACC AGGCATTGTT TATGCTTCCC TGAACCATTC TGTCATTGGA CTGAACCTCA GACTGGCAAG
rc.seq CTGAAGTTTG TTCTAATCCA TGCTTGGAAG AAAACAAACC AGGCATTGTT TATGCTTCCC TGAACCATTC TGTCATTGGA CTGAACCTCA GACTGGCAAG

11 21 31 41 51 61 71 81 91
+2 N V K E A P T E Y A S I C V R S V C Q Q G P I T S E F A A
901 AAATGTAAAA GAAGCACCAG CAGAATATGC ATCCATATGT GTGAGGAGTT AAGTCTGTNN CTGACNCCAA CAGGGNCCAA TCACTAGTGA ATTTCGCGCC
rc.seq AAATGTAAAA GAAGCACCAG CAGAATATGC ATCCATATGT GTGAGGAGTT AAGTCTGTNN CTGACNCCAA CAGGGNCCAA TCACTAGTGA ATTTCGCGCC

11 21 31 41 51 61 71 81 91
+2 A C R S T I W E S S R V G G L E G N E
1001 GCCTGCAGGT CGACCATATG GGAGAGCTCC CANCGCGTTG GGGGCTTGA AGGGTANNNG AATCANGAA
rc.seq GCCTGCAGGT CGACCATATG GGAGAGCTCC CANCGCGTTG GGGGCTTGA AGGGTANNNG AATCANGAA

EXHIBIT A

EXHIBIT A